

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Saadya Mastafa and Kafia Ismail) Case No.: 07 CIV 7955
)
Plaintiffs,)
) Judge: Honorable Gerard E. Lynch
v.)
)
Australian Wheat Board Limited aka AWB)
Limited and AWB (U.S.A.) Limited and)
BNP Paribas,)
Defendants.)

**DECLARATION OF JOHN T. MURRAY IN SUPPORT OF PLAINTIFFS
OPPOSITION TO DEFENDANTS AWB LIMITED, AWB (U.S.A.) LIMITED, AND
BNP PARIBAS MOTIONS TO DISMISS**

John T. Murray hereby declares as follows:

1. I am a member of the Bar of this Court and a Partner of the firm Murray & Murray Co., L.P.A., counsel for Saadya Mastafa and Kafia Ismail, on behalf of themselves and all others similarly situated in this Action.
2. Attached hereto as Exhibit 1 is a true and correct copy of Security Council Resolution 986, U.N. Doc. S/RES/986, dated April 14, 1995 (“Resolution 986”).
3. Attached hereto as Exhibit 2 is a true and correct copy of Security Council Resolution 661, U.N. Doc. S/RES/0661, dated August 6, 1990 (“Resolution 661”).
4. Attached hereto as Exhibit 3 is a true and correct copy of the Memorandum of Understanding Between the Secretariat of the United Nations and the Government of Iraq on Implementation of Security Council Resolution 986, U.N. Doc. S/1996/356, dated May 20, 1996.

5. Attached hereto as Exhibit 4 is a true and correct copy of the relevant pages of *Prosecutor v. Tadic* (Case No. IT-94-1-T), Opinion and judgment, May 7, 1997. A full copy can be found at <http://www.un.org/icty/cases-e/index-e.htm>.

6. Attached hereto as Exhibit 5 is a true and correct copy of the relevant pages of *Prosecutor v. Furundzija* (Case No. IT-95-17/1-T), Judgment, Dec. 10, 1998. A full copy can be found at <http://www.un.org/icty/cases-e/index-e.htm>.

7. Attached hereto as Exhibit 6 is a true and correct copy of the *Bowoto v. Chevron Corp.* 2007 WL 2349341(N.D. Cal. August 14, 2007).

8. Attached hereto as Exhibit 7 is a true and correct copy of the “Statement attributable to the Spokesman for the Secretary-General on the Final Report of the Independent Inquiry on oil for food”, New York, 27 October 2005. www.un.org/apps/sg/sgstats.asp.

9. Attached hereto as Exhibit 8 is a true and correct copy of the New York Times Article: “Two Members of Hussein Tribunal Are Assassinated in Baghdad,” March 2, 2005, by Robert F. Worth and The Independent’s Article: “Murder of Iraqi judge sends out warning over Saddam trial,” March 3, 2005, by David Enders.

10. Attached hereto as Exhibit 9 is a true and correct copy of the *Pinochet Case: Spain-Chile: Writ of the Instructing Court accepting the Jurisdiction in the Pinochet case, Summary Proceeding 1/98-J, AUDIENCIA NACIONAL, CENTRAL INVESTIGATORY COURT, NUMBER SIX, MADRID*, September 20, 1998.

11. A true and correct copy of the report of the Independent Inquiry Committee into the United Nations Oil-For-Food-Programme (“IIC”), by Paul A. Volker, Chair, entitled *Manipulation of the Oil-For-Food-Programme By the Iraqi Regime* (Oct. 27, 2005) (the “Volker Report” or “IIC Report”) can be found at www.iic0offp.org.

12. A true and correct copy of the report of the Royal Commission led by Honourable Terence Cole AO RFD QC (“Cole Commission”), entitled *Report Of The Inquiry Into Certain Australian Companies In Relation To The UN Oil-For-Food-Programme* (Nov. 24, 2006) (the “Cole Inquiry”) can be found at www.offi.gov.au.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on February 22, 2008



John T. Murray